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09/746,648	12/26/2000	Dannie E. Martin	BS00-008	9925

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EXAMINER	
MILLER, BRANDON J	

ART UNIT	PAPER NUMBER
2683	11

DATE MAILED: 04/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/746,648	Applicant(s) MARTIN, DANNIE E.	
	Examiner Brandon J Miller	Art Unit 2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 January 2004* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-58* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-58* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Response

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-17, 19-22, 24, 26-27, 29-30, 32-47, 50-51, 53, and 55-58) is rejected under 35 U.S.C. 103(a) as being unpatentable over Saegusa in view of Lehtinen and Timm.

Regarding claim 1 Saegusa teaches a wireless device for reporting an emergency situation to a called party, with a main controller, a keyboard in communication with a main controller, a display in communication with a main controller and a location system in communication with a main controller, wherein when a keystroke sequence is received by the keyboard, the controller establishes a wireless communication session with a called party (see col. 3, lines 17-31, 42-47 and col. 4, lines 10-14). Saegusa teaches when a wireless communication is established, the location system generates location information and provides the location information to the called party (see col. 3, lines 60-63 and col. 4, lines 10-15). Saegusa does not teach a microprocessor that disables a display, or a microprocessor that mutes incoming audio signals. Lehtinen teaches a processor that disables a display and establishes a wireless communication session with a called party (see col. 1, lines 35-39 and col. 3, lines 2-4 & 6-9). Timm teaches a processor that mutes microphone audio signals and establishes a

wireless communication session with a called party (see col. 3, lines 9-10 and col. 4, lines 18-19, 28-34, & 49-52). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Saegusa adapt to include a microprocessor that disables a display and a microprocessor that mutes incoming audio signals because this would allow for cellular telephone to transmit information while operating in an emergency mode.

Regarding claim 2 Saegusa teaches a memory, wherein the memory comprises a relationship between the keystroke sequence and the called party (see col. 3, lines 42-47 and col. 6, lines 38-41).

Regarding claim 3 Saegusa teaches a database with a user profile (see col. 5, lines 9-12).

Regarding claim 4 Saegusa teaches a user profile that is transmitted to a called party during a wireless communication session (see col. 4, lines 12-15 and col. 7, lines 13-17).

Regarding claim 5 Saegusa teaches a called party that provides location information to a third party (see col. 7, lines 13-18).

Regarding claim 6 Saegusa teaches a keystroke sequence comprises one of pressing a plurality of keys in seriatim, pressing one key one or more times, and pressing a first key while holding down a second key (see col. 4, lines 3-6).

Regarding claim 7 Saegusa teaches a called party that has exclusive control over the wireless communication session (see col. 7, lines 13-28).

Regarding claim 8 Saegusa teaches a location system generates subsequent location information and provides the subsequent location information is provided to the called party during a wireless communication session (see col. 3, lines 60-63 and col. 4, lines 10-15).

Regarding claim 9 Saegusa teaches a wireless device that is selected from a group of a wireless telephone, a pager, a handheld computer, and a personal digital assistant (see col. 3, lines 16-18).

Regarding claim 10 Saegusa teaches a location system that is a GPS receiver (see col. 5, lines 26-30).

Regarding claim 11 Saegusa teaches a system for reporting an emergency situation to a called party, a wireless device in a wireless network, a wireless device with a main controller, a keyboard, and a display; a location system wherein the location system is communication with a wireless device, wherein when a keystroke sequence is received by the keyboard, the controller establishes a wireless communication session with a called party (see col. 3, lines 17-31, 42-47 & 60-63 and col. 4, lines 10-14). Saegusa teaches when a wireless communication is established, the location system generates location information and provides the location information to the called party (see col. 3, lines 60-63 and col. 4, lines 10-15). Saegusa does not teach a microprocessor that disables a display, or a microprocessor that mutes incoming audio signals. Lehtinen teaches a processor that disables a display and establishes a wireless communication session with a called party (see col. 1, lines 35-39 and col. 3, lines 2-4 & 6-9). Timm teaches a processor that mutes microphone audio signals and establishes a wireless communication session with a called party (see col. 3, lines 9-10 and col. 4, lines 18-19, 28-34, & 49-52). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Saegusa adapt to include a microprocessor that disables a display, and a microprocessor that mutes incoming audio signals because this would allow for cellular telephone to transmit information while operating in an emergency mode.

Regarding claim 12 Saegusa teaches a location system that is provisioned at one or more of a wireless device, a wireless network, and a called party (see col. 4, lines 23-27).

Regarding claim 13 Saegusa teaches a device as recited in claim 7 and is rejected given the same reasoning as above.

Regarding claim 14 Saegusa teaches a device as recited in claim 8 and is rejected given the same reasoning as above.

Regarding claim 15 Saegusa teaches a called party that uses location information to perform an action (see col. 4, lines 28-40).

Regarding claim 16 Saegusa teaches a sensing device, wherein the sensing device captures content during a wireless communication session, and wherein the content is provided to a called party (see col. 3, lines 60-63 and col. 4, lines 10-15).

Regarding claim 17 Saegusa teaches content that comprises a sound (see col. 3, lines 35-40).

Regarding claim 19 Saegusa teaches using content to respond to an emergency situation (see col. 4, lines 28-40).

Regarding claim 20 Saegusa teaches a signal detector to activate a sensing device (see col. 3, lines 17-31, col. 4, lines 10-18 and col. 7, lines 13-22).

Regarding claim 21 Saegusa teaches a wireless device for reporting an emergency situation to a called party, a wireless device with a main controller, a keyboard in communication with a main controller, a signal receiver in communication with a main controller and a location system in communication with a main controller, wherein when keystroke sequence is received by the keyboard, the controller activates a signal receiver (see col. 3, lines 17-31 & 60-63, col. 4,

lines 10-18 and col. 7, lines 13-22). Saegusa teaches sensing a stimulus, and a controller that establishes a wireless communication session with a called party (see col. 4, lines 10-15). Saegusa teaches when a wireless communication session is established, a location system generating location information pinpointing the location of a wireless device, wherein the wireless device transmits the location information to the called party (see col. 3, lines 60-63 and col. 4, lines 10-15). Saegusa does not teach a microprocessor that deactivates a display of a wireless device and mutes incoming audio signals. Lehtinen teaches a processor that deactivates a display and establishes a wireless communication session with a called party upon detection of a signal (see col. 1, lines 35-39 and col. 3, lines 2-4 & 6-9). Timm teaches a processor that mutes microphone audio signals and establishes a wireless communication session with a called party (see col. 3, lines 9-10 and col. 4, lines 18-19, 28-34, & 49-52). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Saegusa adapt to include a microprocessor that deactivates a display of a wireless device and mutes incoming audio signals because this would allow for cellular telephone to transmit information while operating in an emergency mode.

Regarding claim 22 Saegusa teaches a device as recited in claim 17 and is rejected given the same reasoning as above.

Regarding claim 24 Saegusa teaches a signal detector that comprises a microphone (see col. 8, lines 40-44).

Regarding claim 26 Saegusa teaches a sensing device in communication with a controller (see col. 4, lines 10-15 and col. 7, lines 13-20).

Regarding claim 27 Saegusa teaches a device as recited in claim 17 and is rejected given the same reasoning as above.

Regarding claim 29 Saegusa teaches capturing content surrounding a wireless device during a wireless communication session (see col. 4, lines 30-38).

Regarding claim 30 Saegusa teaches a device as recited in claim 17 and is rejected given the same reasoning as above.

Regarding claim 32 Saegusa teaches content that is transmitted to a called party during a wireless communication session (see col. 4, lines 10-15).

Regarding claim 33 Saegusa teaches a signal detector and a sensing device that are one integrated component (see col. 4, lines 10-15 and col. 7, lines 17-23).

Regarding claim 34 Saegusa teaches a device as recited in claim 7 and is rejected given the same reasoning as above.

Regarding claim 35 Saegusa teaches a system for reporting an emergency situation to a called party, creating a relationship between a keystroke sequence and a called party and storing the relationship in a memory of a wireless device (see abstract, col. 3, lines 42-47 and col. 6, lines 38-41). Saegusa teaches receiving a keystroke sequence through a keyboard of a wireless device, establishing a wireless communication session with a called party (see col. 3, lines 17-31 & 42-47 and col. 4, lines 10-15). Saegusa teaches generating location information pinpointing a location of a wireless device and providing the location information to a called party (see col. 3, lines 60-63 and col. 4, lines 10-15). Saegusa does not teach a microprocessor that deactivates a display, or muting incoming audio signals of a wireless device. Lehtinen teaches deactivating the display of a wireless device and establishes a wireless communication session with a called

party (see col. 1, lines 35-39 and col. 3, lines 2-4 & 6-9). Timm teaches a processor that mutes microphone audio signals and establishes a wireless communication session with a called party (see col. 3, lines 9-10 and col. 4, lines 18-19, 28-34, & 49-52). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Saegusa adapt to include a microprocessor that deactivates a display and muting incoming audio signals of a wireless device because this would allow for cellular telephone to transmit information while operating in an emergency mode.

Regarding claim 36 Saegusa teaches a device as recited in claim 9 and is rejected given the same reasoning as above.

Regarding claim 37 Saegusa teaches a device as recited in claim 7 and is rejected given the same reasoning as above.

Regarding claim 38 Saegusa teaches maintaining a wireless communication session (see col. 4, lines 10-27).

Regarding claim 39 Saegusa teaches a device as recited in claim 5 and is rejected given the same reasoning as above.

Regarding claim 40 Saegusa teaches a device as recited in claim 8 and is rejected given the same reasoning as above.

Regarding claim 41 Saegusa teaches a device as recited in claim 6 and is rejected given the same reasoning as above.

Regarding claim 42 Saegusa teaches a device as recited in claim 3 and is rejected given the same reasoning as above.

Regarding claim 43 Saegusa teaches a device as recited in claim 4 and is rejected given the same reasoning as above.

Regarding claim 44 Saegusa teaches using a user profile to perform an action (see col. 7, lines 13-18).

Regarding claim 45 Saegusa teaches a system for reporting an emergency situation to a called party, creating a relationship between a keystroke sequence and a called party and storing the relationship in a memory of a wireless device (see abstract, col. 3, lines 42-47 and col. 6, lines 38-41). Saegusa teaches receiving a keystroke sequence through a keyboard of a wireless device, establishing a wireless communication session with a called party (see col. 3, lines 17-31 & 42-47 and col. 4, lines 10-15). Saegusa teaches receiving a stimulus through the signal receiver of the wireless device and establishing a wireless communication session with a called party when the stimulus is received (see col. 4, lines 1-6 & 10-15). Saegusa teaches generating location information pinpointing a location of a wireless device and providing the location information to a called party (see col. 3, lines 60-63 and col. 4, lines 10-15). Saegusa does not teach a microprocessor that suspends a display of a wireless device, or muting incoming audio signals of the wireless device. Lehtinen teaches suspending a display of a wireless device and establishing a wireless communication session with a called party upon detection of a signal (see col. 1, lines 35-39 and col. 3, lines 2-4 & 6-9). Timm teaches a processor that mutes microphone audio signals and establishes a wireless communication session with a called party (see col. 3, lines 9-10 and col. 4, lines 18-19, 28-34, & 49-52). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Saegusa adapt to include a microprocessor that suspends a display of a wireless device and muting incoming audio signals

of the wireless device because this would allow for cellular telephone to transmit information while operating in an emergency mode.

Regarding claim 46 Saegusa teaches a device as recited in claim 27 and is rejected given the same reasoning as above.

Regarding claim 47 Saegusa teaches a device as recited in claim 17 and is rejected given the same reasoning as above.

Regarding claim 50 Saegusa teaches a device as recited in claim 16 and is rejected given the same reasoning as above.

Regarding claim 51 Saegusa teaches a device as recited in claim 24 and is rejected given the same reasoning as above.

Regarding claim 53 Saegusa teaches a device as recited in claim 17 and is rejected given the same reasoning as above.

Regarding claim 55 Saegusa teaches a device as recited in claim 4 and is rejected given the same reasoning as above.

Regarding claim 56 Saegusa teaches a device as recited in claim 33 and is rejected given the same reasoning as above.

Regarding claim 57 Saegusa teaches a device as recited in claim 8 and is rejected given the same reasoning as above.

Regarding claim 58 Saegusa teaches a device as recited in claim 7 and is rejected given the same reasoning as above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 18, 23, 25, 28, 31, 48-49, 52, and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saegusa in view of Lehtinen, Timm, and Aoki.

Regarding claim 18 Saegusa teaches a device as recited in claim 16 except for content that comprises one or more of an image, a temperature, and a pressure. Aoki teaches content that comprises an image (see pg. 2, lines 15-22). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Saegusa adapt to include content that comprises one or more of an image, a temperature, and a pressure because this would allow portable cellular telephone which has the function of a camera and performs transmission of an image.

Regarding claim 23 Saegusa teaches a device as recited in claim 18 and is rejected given the same reasoning as above.

Regarding claim 25 Aoki teaches a signal detector that comprises one or more of a camera, a thermometer, and a barometer (see pg. 2, lines 15-22).

Regarding claim 28 Aoki teaches a device as recited in claim 25 and is rejected given the same reasoning as above.

Regarding claim 31 Aoki teaches a device as recited in claim 18 and is rejected given the same reasoning as above.

Regarding claim 48 Aoki teaches a device as recited in claim 25 and is rejected given the same reasoning as above.

Regarding claim 49 Aoki teaches a device as recited in claim 18 and is rejected given the same reasoning as above.

Regarding claim 52 Aoki teaches a device as recited in claim 25 and is rejected given the same reasoning as above.

Regarding claim 54 Saegusa teaches a device as recited in claim 18 and is rejected given the same reasoning as above.

Response to Arguments

Applicant's arguments with respect to claims 1, 11, 21, 35, and 45 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tomlinson, Jr. U.S. Patent Application 6,298,229 discloses a GPS receiver for emergency location reporting during intermittent shadowing.

Raith U.S. Patent Application 6,477,362 discloses systems and methods for providing information to emergency service centers.

Ayoub U.S. Patent Application 6,477,363 discloses a system and method for communicating the location of an emergency caller through a telephone network to a control station.

Hatamura U.S. Patent Application 6,547,620 discloses a communication apparatus, memory medium and method.

Henry, Jr. U.S. Patent Application 6,208,877 discloses methods and apparatus for selectively displaying information entered from a radiotelephone keypad.

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